

## NEW YORK HERALD

BROADWAY AND ANN STREET.

JAMES GORDON BENNETT,  
PROPRIETOR.

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## AMUSEMENTS TO-NIGHT.

**METROPOLITAN MUSEUM OF ART.**  
West Fourth-street—Open from 10 A. M. to 5 P. M.

**ROMAN HIPPODROME.**  
Fourth avenue and Twenty-seventh street—CIRCUS, FROTHING AND MENAGERIE, afternoon and evening, at 8 and 10.

**BROOKLYN PARK THEATRE.**  
Fulton avenue—VARIETY, at 8 P. M.; closes at 10:45 P. M.

**BRANT'S OPERA HOUSE.**  
West Twenty-third street, near Sixth avenue—NEGRO MINSTRELS, at 8 P. M.; closes at 10 P. M. Dan Bryant.

**GERMANIA THEATRE.**  
Fourteenth street—GIROFLE-GIROFLE, at 8 P. M.; closes at 10:45 P. M. Miss Lina May.

**SIBLO'S.**  
Broadway—BORT O'MORE, and HERMANN, at 8 P. M.; closes at 10:45 P. M.

**TONY PASTOR'S OPERA HOUSE.**  
No. 201 Bowery—VARIETY, at 8 P. M.; closes at 10:45 P. M.

**FIFTH AVENUE THEATRE.**  
Twenty-eighth street and Broadway—THE BIG ROMANZA, at 8 P. M.; closes at 10:30 P. M. Mr. Fisher, Mr. Lewis, Miss Davenport, Mrs. Gilbert.

**LYCEUM THEATRE.**  
Fourth street, near Sixth avenue—LUCREZIA BORGIA, at 8 P. M.; closes at 10:45 P. M. Miss Lina May.

**PARK THEATRE.**  
Broadway—French Opera House—GIROFLE-GIROFLE, at 8 P. M.; closes at 10:45 P. M. Miss Lina May.

**GRAND CENTRAL THEATRE.**  
No. 35 Broadway—VARIETY, at 8 P. M.; closes at 10:45 P. M.

**BOOTH'S THEATRE.**  
corner of Twenty-third street and Sixth avenue—HENRY V., at 8 P. M.; closes at 11 P. M. Mr. Ringold.

**SAN FRANCISCO MINSTRELS.**  
Broadway, corner of Twenty-third street—NEGRO MINSTRELS, at 8 P. M.; closes at 10 P. M.

**TIVOLI THEATRE.**  
Eighty street, between Second and Third avenues—VARIETY, at 8 P. M.; closes at 10:45 P. M.

**WALLACK'S THEATRE.**  
Broadway—THE SHAGGY BOOTS—GIROFLE-GIROFLE, at 8 P. M.; closes at 10:45 P. M. Mr. Boucicault.

**COLOSSEUM.**  
Broadway and Thirty-fourth street—PARIS BY NIGHT. Two exhibitions daily, at 2 and 8 P. M.

**MRS. CONWAY'S BROOKLYN THEATRE.**  
Brooklyn—THE MAN OF AIRLIE, at 8 P. M.; closes at 10:30 P. M. Mr. Lawrence Barrett.

**WOODS' MUSEUM.**  
Broadway, corner Third street—SASSA CUS, at 8 P. M.; closes at 10:45 P. M. Nature at 12 P. M.

**OLYMPIC THEATRE.**  
No. 34 Broadway—VARIETY, at 8 P. M.; closes at 10:45 P. M.

**ROBINSON HALL.**  
Sixteenth street and Broadway—CALLEDON'S GEORGIA MINSTRELS, at 8 P. M.; closes at 10 P. M.

**THEATRE COMIQUE.**  
No. 34 Broadway—VARIETY, at 8 P. M.; closes at 10:45 P. M.

## TRIPLE SHEET.

NEW YORK, TUESDAY, MARCH 16, 1875.

From our reports this morning the probabilities are that the weather to-day will be clearing.

**WALL STREET YESTERDAY.**—Gold advanced to 116. Stocks were firm. Money on call ranged from 3 to 4 per cent. Foreign exchange was steady.

**IF THIS MILD WEATHER** in the day with cool temperature at night continues the ice gorges in the smaller rivers will gradually disappear. This has been the fortunate experience in several sections, but at Port Jervis the ice is still formidable and almost impregnable to assault.

**NOW THAT THE REV. DR. NEWMAN**, of the Metropolitan Methodist church, in Washington, and Chaplain to His Excellency, has returned home after a long foreign tour at the expense of his admiring countrymen, it would be well to adopt a previous suggestion of the Herald and appoint him inspector of Hell Gate.

**VICE PRESIDENT WILSON'S LETTER** explanatory of his casting vote in favor of the Bonny bill is straightforward and full. He considers the bill an act of justice to the veterans who entered the ranks at the breaking out of the war, and who served longer and were paid less than the recruits who were at later periods obtained by large bounties. Mr. Wilson was Chairman of the Military Committee of the Senate for twelve years and his knowledge of the army and the obligations the government undertook entitle his views to respect.

**AN EARTHQUAKE IN MEXICO.**—Our correspondence from Guadalajara contains an account of an earthquake of more than usual force, which, on the 11th of February, shook a large portion of Northern Mexico. The little town of San Cristobal was almost entirely destroyed, and seventy dead bodies were taken from the ruins. The centre of this disturbance appears to have been the volcano of Ceboruco. The earthquake occurred at night and the terror of the people was increased by the darkness.

**THE PINCHBACK CASE.**—The ground taken by Mr. Ferry, in his argument yesterday, cannot be disputed. The Senate is certainly not bound to admit a person claiming to be a member because the President has recognized the legality of the Legislature which elected him. There is nothing in the constitution which thus binds the Senate to obedience to the will of the Executive. Mr. Morton and Mr. West, in their appeals for Pinchback's admission, yesterday wisely evaded this issue, seeing that the Senate could not be browbeaten into object submission.

## Creation of the New Cardinals—The Pope's Allocution.

We must not measure the proceedings at Rome yesterday by any such petty scale as the accidental interest which they happen to excite in this country by the novel circumstance that among the cardinals created on this occasion one is an American. The lively interest of our large Catholic population in the elevation of Archbishop McCloskey to the cardinalate is legitimate and natural, and we can appreciate their sentiment of grateful recognition of the considerate treatment they receive from the head of their Church. But the occasion has larger aspects and relations. We sincerely congratulate Cardinal McCloskey and the Catholics of the United States on this high honor which His Holiness has bestowed upon him and upon them, and they must not regard it as an exhibition of churchly feeling if we express our opinion that the American aspect of the proceedings at Rome yesterday is of slight consequence as compared with its European aspects. The Pope looks, as his responsible position requires him to look, only to the general interests of the Church, and he is above the weakness of paying a mere compliment, however grateful it may be to the recipients. He doubtless loves and cherishes every part of his extensive flock; but in the exercise of his high prerogative of dispensing ecclesiastical honors duty is his guiding principle, and complaisance has no place except so far as it may conduce to the great ends of his administration.

The creation of an American cardinal at this juncture is as wise and politic as it is gracious and pleasing. Since the occupation of Rome by the Italian government, in 1870, the Papacy has been in a state of depression and humiliation. In stripping the Pope of his temporal dominions King Victor Emmanuel deprived him of his ordinary sources of revenue and forced him to rely on the contributions of the faithful in all parts of the world for maintaining the dignity of his office. It is true, indeed, that the Italian government offered him an annual stipend equal in amount to the average revenue of the States of the Church; but the Pope scorned to compromise his rights and weaken his position by accepting it or any part of it. According to present appearances and prospects the Papacy will have to depend for a long time to come, as it has for the last three or four years, on pecuniary aid freely sent to it from all parts of the world by Catholics on whom it has no authority to levy a tax. The Papal treasury and finances are therefore in a peculiar condition, and in the long struggle which Pope Pius and his successors are likely to maintain in asserting the former claims of the Roman See to civil jurisdiction—claims which there is no intention ever to relinquish—it is of importance to cultivate the zeal and affection of every branch of the Church. There is no part of it which has contributed so liberally as the American Catholics have done since the Pope was deprived of his territorial revenues. When this country shall have recovered from the effects of the recent panic there is no part of the world in which the body of Catholic communicants will have so much ability to strengthen the Papal treasury in proportion to their numbers. The wages of labor are higher here than in any other part of the globe, and the race which forms a majority of the American Catholics is perhaps the most free-hearted and open-handed in the world in any cause which enlists their sympathies. The generous liberality of the American Catholics did not depend at all on the bestowal of this recent honor, but it will strengthen their loving attachment and devoted loyalty, and is therefore as wise and politic as it is just and appreciative. It will infuse new zeal into the strong moral support which the Pope has received in his troubles from the faithful Catholics of the United States, and, as an incidental consequence, it will quicken their sense of his fiscal necessities, it will quicken their persistent struggle for his ancient prerogatives.

But the merely American view includes but a small and very subordinate part of the interests to be affected by the interesting ecclesiastical transaction yesterday, which is so fully reported in our cable despatches from Rome. The creation of new cardinals at this juncture is an event which may largely influence the future politics of Europe. So far as regards the Papacy, everything is staked on the election of a successor to Pope Pius IX. who will continue and carry out his unyielding policy. The six new cardinals whom he created and publicly announced yesterday, and the five others *in petto* (which means that he keeps their names a personal secret) will be entitled to participate in the choice of his successor. He has, of course, satisfied himself that every one of the eleven will be inflexibly true to the policy which he has deliberately adopted as indispensable to the interests of the Church. This is a sagacious provision against the probable intrigues of two or three European governments to control the choice of his successor. There are two governments—that of Germany and that of Italy—that will leave no stone unturned to prevent the election of a new Pope who will inherit the uncompromising policy of Pius IX. King Victor Emmanuel wants a Pope who will consent to abdicate his claims as a temporal sovereign, and the Emperor William desires that the office shall be filled by a Pontiff with whom his government can arrange a concordat recognizing his claim to control ecclesiastical matters in his own dominions. France, also, will have a preference, though resting on different grounds. It is the chief aim of Pope Pius, in selecting the new cardinals he has created, to forestall the intrigues of interested governments and insure a successor who will stand resolutely for the rights of the Church.

Pope Pius IX., after his long and chequered career, will transmit the tiara to a successor who will need great vigor, firmness, nerve and sagacity to meet the requirements of the situation. The new Pope, whoever he may be, will come into an inheritance of trouble. Before the College of Cardinals meet in conclave for the choice of a new Pope each member is required to take an oath that, if the choice should fall upon him, he will faithfully observe certain conditions, the first in the list being a solemn pledge that he will never surrender or alienate the territorial jurisdiction over the States of the Church. But when circumstances have so greatly changed the oath even of ecclesiastics are a frail security, and the present aged Pope aims at an added guarantee in the personal character of his successor. He is as wise and prudent as he is firm and indomitable, and has, of course, selected no cardinal in reference to an event which he regards as so near without having fully satisfied himself of his invincible fidelity to the claims and interests of the Papacy. The six new cardinals created yesterday and the five announced *in petto* undoubtedly secure an attitude of vigorous resistance to the enemies of the Holy See on the part of the Pontiff in whose election they will participate. What was done yesterday is an event of great European importance in a merely political view, quite aside from its ecclesiastical interest to the largest and, geographically, the most widely spread of all Christian denominations.

The Pope's allocution in preconizing the new cardinals is pitched in a key which evinces his sense of the great importance to the Church of the duty which he has now discharged. He dwells with profound sorrow on the troubles which encompass the Church, on the invasions of its rights, on the efforts in foreign countries to bring it into discredit, on the interested attempts which will be made to control the choice of his successor, showing that these are the considerations which have chiefly influenced him in his selection of the new cardinals. He indeed pays a warm personal tribute to the virtues, learning, fidelity and distinguished usefulness of the appointees; but the deep coloring of sadness which is spread over his allocution and the fervid earnestness with which he alludes to the dangers which beset the Church from many quarters show how entirely his heart is enlisted in the choice of a successor who will be true to his policy and will surrender none of those claims of the Papacy which he has steadily maintained in these recent days of darkness and tribulation.

To descend from these grave topics and revert again to the minor American aspect of the subject, we call attention to the interesting interviews with the Archbishop of Baltimore and the Bishop of Virginia, which are printed in our news columns. These interviews may be accepted as proofs of the grateful appreciation of American Catholics of the honor which has been conferred on their Church in this country, and their cordial indorsement of the eminent fitness of the selection. Archbishop Bayley throws out a suggestion to which he himself attaches no importance, that the Pope may possibly call Cardinal McCloskey to Rome. We regard this as wholly improbable. It would deprive the American Catholics of the great satisfaction they feel in having a resident cardinal and in the dignity it sheds on the American branch of their Church. If Cardinal McCloskey were taken to Rome there would be really no American cardinal after all. We are confident this is not the intention of the Pope, especially as the Papacy has so deep an interest in stimulating the zeal and strengthening the loyal attachment of the American Catholics.

## A Business Question.

We print the following, one of many letters of the kind that we are in the habit of receiving:—  
TO THE EDITOR OF THE HERALD:—  
Enclosed I send you circular, with advertisement annexed, which I this day received from Messrs. Brown & Fivernan, advertising agents. The advertisement is one which I had inserted in the Herald a day or two since. You will perceive that the agents propose to insert the same advertisement in the Herald six successive days for \$1, and they promise to advertise in any of the New York papers at their lowest rates.  
Now, what I want to find out is, should I advertise through the aforesaid agents in the Herald, would there be a saving, or does the Herald charge the same rates to advertising agents as to the advertiser as it does when the same advertisement comes through an agent's agency? By answering the above you will much oblige yours &c.,  
H. J. C.  
New York, March 12, 1875.

To this we answer that our business is governed by a simple and inexorable rule. We allow no commissions to advertising agents or to any one else. We arrange the best rates that our business will permit, and deal with the people on that basis. From these rules we make no exception. They govern our relations with the largest business houses who insert a thousand lines, as well as the plain laborer who asks for employment in three lines. We have no "highest," no "lowest" rates—only one price. This is the rule at our main office as well as at our branch offices.

Our branch offices—we may as well say for the information of our readers—are as follows:—No. 1,265 Broadway and No. 539 Sixth avenue, between Thirty-first and Thirty-second streets; No. 2,281 Third avenue, corner of 124th street, and corner of Fulton and Boerum streets, Brooklyn.

**MRS. TILDEN AND THE REST OF THEM.**—A bill is before the State Legislature which, it is said, will enable Mrs. Tilden to appear as a witness in the great trial (if it becomes law), provided any one wants her evidence. Why should she not be allowed to testify? Why should not every male or female who really knows anything about the scandal undergo examination and cross-examination? Neither side can calculate on any certain advantage from this universal unbosoming of the whole school, from the Woodhull down to the Bowen. The disciples are so sensational and emotional that when they stand up before the Court they are as likely to turn up trumps for one side as for the other. Miss Susan B. Anthony, Mrs. Elizabeth Cady Stanton and others have been talked of flippantly by many of the witnesses, including the thirty partner in the speculative publication of the "Life of Christ." Their names have been freely used in the scandal, and now they should come forward, in the cause of truth, and tell all they know about it.

**CHIBBAGE IN THE WHITE HOUSE.**—Three thousand men waited on the President last night to ask his help in their efforts to get the money they had earned, but which the District of Columbia refused to pay, and the result was a scene vividly described in our Washington correspondence. The President could not give a hearing to his suffering fellow citizens, the game of cribbage occupying his attention. It is no wonder that the workmen were indignant at his refusal to hear them, for it would have been merely an act of courtesy to have at least listened to their complaints. Unless he can explain this act to the satisfaction of the people he will have to abandon his official crib in 1876 without doubt. At that time he will have the satisfaction of "pegging out" and making speedy preparations for a "go."

## Governor Tilden's Inaction on the Mayor's Removal.

As the New York city charter imposes on the Governor the duty of approving or vetoing the removal from office of heads of the municipal departments no reasonable person can censure Governor Tilden for taking such precautions as he may deem necessary to enable him to arrive at a just decision in the exercise of this power. Governor Dix construed the law as requiring him to decide only as to the sufficiency or insufficiency of the causes of removal officially stated by the Mayor, accepting the decision reached by the Mayor in his investigation of the charges as final. Governor Tilden interprets the law as imposing upon him far more comprehensive obligations. He believes that he is made a judge not only of the sufficiency of the causes assigned for removal, but of the correctness of the decision reached by the Mayor, and as such is entitled and required to scrutinize the evidence and practically to re-open the case and try it on its merits over again. If these are his honest convictions, whatever may be thought of them, they certainly warrant him in taking a reasonable time to satisfy himself as to what action a faithful discharge of his duty demands.

But some consideration is due to the city and its interests. However grave may be the responsibilities attaching to the Governor under the charter he cannot be justified in needlessly or vexatiously delaying his decisions on the removals made by the Mayor. Heads of municipal departments are removed from office on charges, after an investigation by the Mayor. It is therefore to be presumed that, in the judgment of the Mayor, such as are removed are deemed improper or undesirable persons to hold office under him. The charges against them may be of a character seriously affecting the public interests. The removal by the Mayor must necessarily occasion a sort of suspension of their official usefulness and create a breach between them and the Executive. On every consideration a prompt decision by the Governor in such cases is not only desirable, but is absolutely necessary to the proper working of the city government. No one will deny that the certificates of the removal of the Corporation Counsel and the Fire Commissioners have been in the Executive chamber at Albany a sufficient length of time to enable the Governor to make himself entirely familiar with the facts in each case, and it is not unreasonable to insist that his decision should be no longer delayed. The dilatoriness of the Governor, is calculated to encourage unpleasant suspicions, and is an injustice to himself as well as to the city.

## The Moral of the Centennial.

We look with solicitude to the coming Centennial, as around it all that is left of patriotic and reverential sentiment must crystallize. Thackeray somewhere says that looking at the snowy ridges and giant peaks of the Bernese Alps is like keeping company with the great and good of the heroic past. It inspired grand thoughts and high imaginings in the present. So say we, and so will every right-minded man, native or stranger, say of this Centennial. The contemplation of it is utterly inconsistent with low thoughts and base imaginings. It is no mere figure of speech, no such tawdry rhetoric as Mr. Beecher and his school rejoice in, to say that like some gigantic tree, venerable in age and majestic in form, it tells us not only of growth, which, in our case, is almost marvellous, but it tells of innate strength and that the roots of our institutions are deeply set; and, though there have been superficial scars, and branches and boughs have been twisted and torn, the sap flows freely and healthfully and the great trunk is as sound as when a century ago it started heavenward from the soil. It tells of permanence, and we are assured, of perpetuity.

It is typical of republicanism in its highest and best sense—not of the antique republicanism of former days, with patrician Senates and spasmodic tribunes (of the people we mean) and consuls who, *ab initio*, occasionally on emergencies were made dictators, and could do as they pleased—not of minute San Marinos long since faded away, a Poland or even Switzerland, existing only by permission, but constitutional republicanism, administered not directly by the people but for the people through their representatives. It tells, too, of a century completed more wonderful in its results, more impressive in its events, than any since the momentous one nineteen hundred years ago. Think what it has comprised and of the share which we, who were nothing a hundred years ago, have had in all of it. In 1776, on the 4th of July, there was but one government, one set of political institutions of those at present existing, which is now, even measurably, what it was, and that is the English-speaking community from whose loins we sprang, and perhaps one other—Austria, after convulsions and revolutions and absorptions, is not unlike what she was when the cry went up, "*Mori-mor pro rege nostro!*" France has been everything by turns and nothing long. Spain is in her normal state of self-disturbance. Italy is revolutionized, and hardly anything is left as it was except the purely ecclesiastical Papacy. In 1776 thirteen meagre, feeble colonial dependencies which, but for absolute lunacy, might have been kept dependencies no one can say how much longer, took it into their heads to set up for themselves, and, binding themselves together by the feeblest possible political tie, to declare themselves independent and take position among the nations of the world. They did so. They fought for their declaration, and, after seven years' conflict, they wrung recognition from the oppressor.

It is this event, not the recognition, but the heroic declaration made when the chances of success in maintaining it were few and feeble, that we, their grateful descendants, are called on to commemorate, and there are hesitation and doubt whether it ought to be done, and reluctance to co-operate to secure its success, and we are driven to advocate and urge it on the low ground of material interest. In what we venture to say with feeling and emphasis to-day no such baser considerations weigh. The Centennial feeling, which it certainly will not, we shall feel that our past has been in vain. The Centennial succeeding, as, in homely phrase, we feel it in our bones it will, there will be an assurance for the century about to dawn that the great experiment of

self-government is, at least here, a permanence—a finality.

## Revised Statutes of the United States.

This enormous book is at length accessible to the public. Its preposterous dimensions are absolutely appalling. It weighs eight and one-half pounds; measuring outside of the binding it is twelve inches long, eight and a half inches wide and three and one-quarter inches thick. The printed page measures eight and one-quarter inches by four and a half, not including the side notes. In the unnecessarily broad margins there must be about two pounds of utterly superfluous paper in each copy. If the purpose in making this mammoth volume was to illustrate the wealth and dignity of the government whose laws it embraces, by the production of a book that was to lie on tables for show or for an occasional consultation, the execution of the work might be said to have some fitness of relation to the object. If it was gotten up as a monument of the legislation of the United States, as an editor with abundant pecuniary means would set forth in print the *Corpus Juris Civilis* of the Roman law, or the *Siete Partidas* of the old kings of Castile, with no other object than splendid preservation, one could understand what the Department of State had been about in preparing this volume. But if the object of the publication was to put the text of the written code of the United States into a shape for practical use by the people whose daily business and interests require them to have it in the most convenient form the whole expenditure has been thrown away. Imagine a lawyer or a member of a legislative body standing up and reading from a book that weighs eight and one-half pounds! Men must grow to be Broddingsnags before they can hold such a book in their hands. Every copy of it that is used in public must be placed on a "lectern," that will move about on casters; and as to use in private, it never can be taken off the table or the desk.

With regard to the other features of the mechanical execution, we find that the type is excellent, clearly and sharply cut, and the electrotyping is admirably done. The paper is of a good quality, and we should judge it to be durable. The test of the binding will be of course to be in the use. But we cannot praise the literary part of the execution without some qualification. For example, we think the bulk of the volume has been unnecessarily swelled by a cumbersome citation of the adjudicated cases on the construction of the former statutes now codified into the new text of the revision. It is certainly necessary, sometimes, for lawyers and judges and legislators, in construing and applying the text of a revised and re-enacted law, to look at the old statute and at the judicial decisions under it. But in editing a new statute which revises and enacts into a code the whole body of the existing statute law there is such a thing as overloading the page with unnecessary citations. But if the editors of this stupendous volume thought it necessary or expedient to cite, as in some instances they have, a whole page of cases in fine type, measuring eight and one quarter by four and one-half inches, why, in the name of common sense, did they not make two volumes of the size of Little, Brown & Co.'s edition? or three volumes, which would have been better still, with a special index for each volume, and a general index for the whole at the end of the third? Something will have to be done by somebody in the way of furnishing the public with the text of the Revised Statutes of the United States in a form that can be handled by the present race of mankind. If in the progress of the woman's rights movement ladies shall come to be admitted to the Bar the physical impossibility of managing this huge tome as a handbook will stand seriously in the way of their practice in the federal courts.

## Rapid Transit.

The problem of rapid transit we understand to be this:—How to go from the Battery or the City Hall to Harlem River in the quickest space of time. This is all that interests the people in discussing the thousand proposals that are made to us from time to time as to the best means of securing this result. Underground, overground, elevated, arcade—we do not care which plan is adopted. The only question is how to make the upper part of the city as accessible to the business men of New York—the merchants, mechanics and laboring men—as Brooklyn or Jersey are now, or, at least, will be in the summer. To achieve rapid transit, therefore, we should take what we have and utilize it. We have a road running from Forty-second street to Harlem—the Vanderbilt line—as fine a bit of engineering as there is in the world. Then we have another road running from the Battery to Thirty-fourth street—at least a railway, that has been managed successfully, and grows from day to day in the acceptance of the people. Now, the first step in solving the problem of rapid transit is to connect these two lines. This could be done by extending the elevated road to Forty-fourth street, along Ninth avenue; thence running down to the Grand Central depot; or it might run down Thirty-second street or Thirty-third, and connect with the tunnel, which could be used for steam. The avenues could be crossed by graceful bridges, or, if necessary, Thirty-second or Thirty-third street might be arcaded. Either process could be done cheaply, promptly and efficiently, and the result would be almost an immediate realization of the problem which for so many years has perplexed the minds of all who wish well to the prosperity of New York. This is a beginning.

**DOGS ARE MORE FORTUNATE** than other animals in the work they are given by man. Horses and oxen are subjected to real toil, but dogs generally are given the labor they delight in. Watch dogs are proud of the trust reposed in their fidelity, and pointers and setters have as much pleasure as their masters in hunting game. But when a dog is put upon a treadmill we consider him ill used. That employment is not suited to his physical or mental organization. He cannot perform with any satisfaction to himself the weary, endless, unprogressive tramp in a mill, which an ox would undertake with patience. We think the nature of the animal should be taken into consideration in deciding such a case as that which Mr. Bergh has brought before the courts, and that it would be unfair to determine upon the mere facts of actual cruelty.

## Germany and Spain.

The telegraph publishes a strange rumor to the effect that the Emperor of Germany is much dissatisfied with the reign of Prince Alfonso, so far as it has gone. His Majesty is angered about the Gustav affair. He is also disposed to censure the clerical tendency of Alfonso's Ministry. It seems that the new government, anxious to deprive the Carlists of the sympathy shown them by the Catholic Church, made an extreme endeavor to conciliate the religious element in Spain. This was seen in the orders suppressing the Protestant papers of Madrid and in the raising the subvention to the clergy to the extent, if we remember correctly, of about eight millions of dollars. It is difficult to understand upon what pretext the Emperor of Germany can attempt to interfere in the internal affairs of Spain. Ever since a German Prince in the person of Charles V. occupied the Spanish throne there has been a banking after Spain in the traditions of German policy. This has largely arisen from the diplomatic idea, shared by the English and the French, that the true way to limit the power of France is to establish the English or the German power in Spain and the Low Countries. Our readers will remember that the last war between France and Germany arose from the attempt to enthrone a German in Madrid. And now that the German Emperor has become the champion of Protestantism and the enemy of the Roman Church, Spain will furnish him as good a pretext for inviting the sympathies of the Protestant world as any other.

This rumor only strengthens the conviction that the complications on the Continent will assume more and more a religious character. Everything seems to point to the next war as a religious war. It is a cruel comment upon our civilization that the religion of Christ has developed these national animosities, and that because Christian men have different opinions about the ordinances and sacraments of the faith they should necessarily plunge into a cruel strife. The solution of the problem may be found in the fact that religion is not a purpose, but a pretext, and that behind the fulminations of the Pope and the intrigues of the German Emperor there is a high political ambition, which is the same now as it was when Luther, as the representative of the German nation, made upon the Roman power the same war that Bismarck is waging now.

**THE BLACK HILLS.**—Again El Dorado has been discovered in the Black Hills, and the only obstacle to an immense rush for the gold fields this year is the prohibitory orders of the government. The possession of the Black Hills is secured to the Indians by treaty, and the government is bound to protect them in their rights. If it be true that the Indians are anxious to sell their title to the region there will be little trouble, but there is no evidence that they do, except the statement of an interested miner. We are glad to see that Mr. Ingalls' resolution asking the President for information as to the threatened invasion of the Black Hills and the measures to prevent it was adopted by the Senate yesterday. It is the duty of the government to maintain its treaty, and to prevent the raid which is threatened by lawless men who are equally regardless of the rights of the Indians and the honor of the nation.

**THE ACTIVE MEMBERS** of the St. Mary's Guild have hit upon a novel and attractive entertainment to aid their treasury. They give a grand billiard exhibition on Thursday next, in which all the champion players will take part. Concerts have been exhausted, and as ladies seldom enjoy the opportunity of seeing the performances of experts in the now universal game the change of entertainment was a happy thought. Governor Dix, Mrs. Pierre Lorillard, Mr. Samuel L. M. Barlow, Mrs. Clarence Collins and others have already secured boxes, and there will no doubt be a fashionable attendance. The St. Mary's Guild, an uptown charity, embraces three orphanages and a burial ground for the poor, and it relieves all denominations and creeds. The charity, therefore, deserves a liberal support.

**THE VIRGINIUS INDEMNITY.**—We publish to-day the official correspondence between the United States government and Spain in respect to the Virginus indemnity. It will be read with interest, and the letter of Mr. Fish will give particular satisfaction by its emphatic definition of the Santiago executions as "barbarous and cruel acts," and his refusal to admit the Spanish pretence that they could be justified by law. The dispute has now been finally settled by the agreement of Spain to pay eighty thousand dollars as indemnity; but we fail to see that the United States government has gained much glory in the prolonged negotiations which were required to obtain even this inadequate compensation.

## PERSONAL INTELLIGENCE.

Where Jay Gould ought to be—in the stocks. Bill King didn't know what the abolition of the Civil Service meant. The constitution just adopted in France is the nineteenth since 1793. Encke's comet has become so faint that astronomers believe it is going out. State Senator W. P. Wallace, of Ohio, is sojourning at the St. Nicholas Hotel. Ex-Governor J. Gregory Smith, of Vermont, is stopping at the Windsor Hotel. Ex-Congressman E. O. Stanford, of Missouri, is staying at the Fifth Avenue Hotel. Mr. Lawrence Barrett, the actor, is among the late arrivals at the New York Hotel. The retention of capital punishment was voted in the Italian Senate by 73 to 25 voices. Congressman John O. Whitehouse, of Poughkeepsie, is registered at the Albemarle Hotel. Secretary Delano has returned to Washington and had an interview with the President yesterday. Rev. Dr. T. A. Jaggar and Rev. J. H. Eedleston, of Philadelphia, have apartments at the Fifth Avenue Hotel. Ex-Senator Alexander G. Cattell, of New Jersey, has taken up his residence at the St. Nicholas Hotel. Lieutenant Colonel Stephen C. Lyford, of the Ordnance Department, United States Army, is at the St. James Hotel. Miss Heine, grand niece of Henri Heine, has just married the baron de Jumburg, of the family of Cardinal Richelieu. It is understood that Hon. Malcolm Cameron will be appointed Lieutenant Governor of the Northwest Territories of Canada. The Italian Consul at Yokohama has sent to the Italian government a box of tea seed from the province of Yamaguchi. This seed will be distributed to the different farming institutions for the purpose of experimenting on the growth of the plant in Italy. Why not try it here also?